

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL MISCELLANEOUS APPLICATION NO.2220/2007

Rashid Hamid Shaikh	Petitioner
versus	
State of Maharashtra	Respondent

Mr.V.M.Gomsale for applicant.
Mr.S.S.Pednekar, APP for State.

CORAM : V.C.DAGA, J.

DATE : 18th July 2007

PC :

1. Heard learned counsel for the applicant and learned APP for the State. The factual matrix of the matter reveals that the complainant has lodged a complaint against the applicant with Bhosari Police Station, Pune under sections 306 and 498 r/w 34 of IPC and that the complaint came to be registered bearing No.142 of 2007.

2. The petitioner has two children and there is nobody to look after them except the applicant. There is no allegation of taking dowry or any illegal demand of articles from the parents of the deceased. Even the dying declaration does

not implicate the applicant. In these circumstances, a prima facie case for bail is made out. I am inclined to grant bail on the following terms and conditions :-

(a) That the applicant be enlarged on bail in the sum of Rs.10,000/- (Rs.Ten thousand only) with one or two local sureties;

(b) The applicant shall report to Bhosari Police Station, Pune once in a week i.e. on every Saturday between 03.00 to 05.00 p.m. and shall continue to attend the Police Station as and when called;

(c) The applicant shall co-operate with the Investigating Agency and shall not contact any prosecution witness. The applicant shall not make any attempt to tamper the evidence.

3. The application stands disposed of in the above terms.

(V.C.DAGA, J.)